

MARIA GUADALUPE MARTINEZ,
individually and as legal representative of
the estate of DELFINO GARCIA, and next
friend of GEMMA GARCIA, a minor,
GRETCHELL GARCIA, a minor,
DELFINO GARCIA, JR., a minor, and
DELLA MACEDO, next friend of
EMELY PARTICIA GARCIA, a minor

CIVIL ACTION NO. 4:13cv59

DONNIE FOSTER, COMMUNITY
EDUCATION CENTERS, INC., d/b/a
CEC INTERNATIONAL INC., JAGDISH
A. SHAH, and JOHN DOES #1 - #35

This case was referred to United States Magistrate Judge Don D. Bush, who issued a Report and Recommendation concluding that Plaintiff's case should be dismissed without prejudice¹. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Plaintiffs filed objections. Having made a *de novo* review of the objections raised by Petitioner to the Report, the court concludes that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the court. It is accordingly

ORDERED that Plaintiff's complaint is **DISMISSED** without prejudice. All motions by either party not previously ruled on are hereby **DENIED**.

Richard A. Schell

¹The court declines to make any determination concerning Mr. Garcia's children filing actions on their own behalf once they reach the age of majority.